

Commonwealth of Virginia  
Department of Social Services



**ONS TRANSMITTAL NUMBER** 08 - 03      **DATE:** February 12, 2008

ONS TRANSMITTAL 08-03 SUPERCEDES TRANSMITTAL 08-02 WITH THE SAME NAME AND DATED JANUARY 25, 2007. TRANSMITTAL 08-02 WAS NEVER ISSUED.

☒ ACTION ITEM                      ☐ INFORMATIONAL ITEM

**Subject:** Special Immigrant Visa Holders Now Eligible For Refugee Services

**To:** ONS Resettlement Provider Directors

**From:** Kathy A. Cooper   
Virginia State Refugee Coordinator  
Virginia Office of Newcomer Services

**Effective:** Immediately

**Contact:** [penny.boyd@dss.virginia.gov](mailto:penny.boyd@dss.virginia.gov) or 804-726-7933

Effective December 26, 2007, Afghan special immigrant visa (SIV) holders are eligible for refugee services for six months. <sup>1</sup>

Effective January 28, 2008, Iraqi special immigrant visa holders are eligible for refugee services for an eight month period. <sup>2</sup>

Based on guidance from the federal Office of Refugee Resettlement (ORR), these newly enacted laws are to be implemented immediately for the Refugee Social Services Program, Refugee Targeted Assistance Program, Refugee Medical Assistance, and Refugee Cash Assistance.

In Virginia, depending on the geographic area where the SIV holder lives, SIV holders are eligible for services provided under Office of Newcomer Services

(ONS) contracts for Virginia Refugee Social Services Program (RSS), Targeted Assistance Program (TAP), and the Virginia Refugee Student Achievement Project (VRSAP).

1. SIV holders are eligible for all services listed in ONS' contracts with service providers and are subject to the same service priority as all other refugee populations. ONS recommends, however, that *providers take into account the limited time that SIV holders are eligible for refugee services.*
2. Spouses and unmarried children under the age of 21 may accompany their relative to the U.S. or follow-to-join these SIV holders.
3. The eligibility period begin date is the date of arrival in the United States. *If the person is in the U.S. when he or she is given the SIV status, the begin date is the SIV designation date.*
4. Afghani SIV holders who arrived before 12/26/07 or Iraqi SIV holders who arrived before 01/28/08 may apply for services, but their period of eligibility is based on their arrival date.
5. Count the period of eligibility from the first of the month in which the refugee arrived. This is consistent with how RCA and RMA are calculated and is allowed by federal regulation.

ARRIVAL DATE	ELIGIBILITY PERIOD ENDS	
	<b><i>For Afghani</i></b>	<b><i>For Iraqi</i></b>
Jun 12, 2007	Jun 1, 2007 - Nov 30, 2007	Jun 1, 2007 - Jan 31, 2008
Oct 3, 2007	Oct 1, 2007 - Mar 31, 2008	Oct 1, 2007 - May 31, 2008
Nov 28, 2007	Nov 1, 2007 - Apr 30, 2008	Nov 1, 2007 - Jun 30, 2008
Jan 15, 2008	Jan 1, 2007 - Jun 30, 2008	Jan 1, 2008 - Aug 31, 2008
Jan 30, 2008	Jan 1, 2007 - Jun 30, 2008	Jan 1, 2008 - Aug 31, 2008
Mar 12, 2008	Mar 1, 2007 - Aug 31, 2008	Mar 1, 2008 - Oct 31, 2008

6. SIV family members who arrive on a different date are eligible from the date of their arrival, not the date of arrival of the SIV holder.
7. Demographic and service information for SIV holders who receive RSS and TAP services are to be reported in VNIS in the same manner as other RSS and TAP client data is reported. *The VNIS refugee category would be "other."*

To determine eligibility for RSS and TAP services, ONS contractors must review the immigration status and date of entry for SIV holders and family members. The documents that will confirm both status and date of entry for Iraqi and Afghan special immigrant holders are listed in a table at the end of this Transmittal.

### **Of Special Note**

Some SIV holders applied for services with resettlement agencies and were denied service because they were not in a refugee population eligible for services under the provider's contract with ONS. These denied individuals should be contacted immediately and told of the new law now and an application interview scheduled.

While RSS and TAP services do not normally include assistance with health screenings and applications for social security numbers, driver licenses, and public assistance, ONS contractors may provide this assistance under the terms of its existing contract.

Some SIV holders have worked with high level government officials who may intervene on behalf of this newly eligible population. ONS encourages you to understand that any fervor or frustration shown by them is a reflection of a lack of clarity and understanding of the refugee program and processes. Resettlement program directors are asked to guide their staff on how to handle these interactions, should they occur.

Local departments of social services have not yet received guidance on SIV holders' eligibility for TANF, food stamps, Medicaid, Refugee Cash Assistance, and Refugee Medical Assistance. ONS is working with the Division of Benefit Programs to issue a Broadcast. A copy of this will be sent to you when issued. In the meantime, if you provide services to a SIV holder and think the individual or family may be eligible for benefits, contact Penny Boyd (804-726-7933) or [penny.boyd@dss.virginia.gov](mailto:penny.boyd@dss.virginia.gov) . She will coordinate with the local department of social services that serves the area where the SIV holder resides to give staff guidance on this population's eligibility for benefits.

Any questions not answered in this transmittal or that arise as SIV holders are served may be directed to Penny Boyd.

<sup>1</sup> Public Law 110-161 (the *Consolidated Appropriations Act*, 2008) was signed by the President December 26, 2007. Section 525 of Division G of Title V states: "Iraqi and Afghan aliens granted special immigrant status . . . shall be eligible for resettlement assistance, entitlement programs, and other benefits available to refugees . . . for a period not to exceed 6 months."

<sup>2</sup> Public Law 110-181 (the *National Defense Authorization Act*, 2008) was signed by the President January 28, 2008. Section 1244 states, in part: "Iraqi aliens granted special immigrant status . . . shall be eligible for resettlement assistance, entitlement programs, and other benefits available to refugees . . . for a period not to exceed eight months."

**ONS Transmittal Number 08-02**  
**Attachment One**  
**Required Documentation for Afghani SIV Holders**

<b>Applicant</b>	<b>Documentation</b>
Principal Applicant Afghan Special Immigrant	SI1 Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI1  and DHS stamp or notation on passport or I-94 showing date of entry
Spouse of Principal Applicant Afghan Special Immigrant	SI2 Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI2  and DHS stamp or notation on passport or I-94 showing date of entry
Unmarried Child Under 21 Years of Age of Afghan Special Immigrant	SI3 Afghan passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI3  and DHS stamp or notation on passport or I-94 showing date of entry
Principal Applicant Afghan Special Immigrant  Principal Adjusting Status in the U.S.	DHS Form I-551 ("green card") showing Afghan nationality (or Afghan passport), with an IV (Immigrant Visa) code of SI6
Spouse of Principal Applicant Afghan Special Immigrant in P6 Category	DHS Form I-551 ("green card") showing Afghan nationality (or Afghan passport), with an IV (Immigrant Visa) code of SI7
Unmarried Child Under 21 Years of Age of Afghan Special Immigrant in P6 Category	DHS Form I-551 ("green card") showing Afghan Nationality (or Afghan passport), with an IV ("immigrant visa") code of SI9

**ONS Transmittal Number 08-02**  
**Attachment Two**  
**Required Documentation for Iraqi SIV Holders**

<b>Applicant</b>	<b>Documentation</b>
Principal Applicant Iraqi Special Immigrant	SI1 or SQ1 Iraqi passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI1 or SQ1  and DHS stamp or notation on passport or I-94 showing date of entry
Spouse of Principal Applicant Iraqi Special Immigrant	SI2 or SQ2 Iraqi passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI2 or SQ2  and DHS stamp or notation on passport or I-94 showing date of entry
Unmarried Child Under 21 Years of Age of Iraqi Special Immigrant	SI3 or SQ3 Iraqi passport with an immigrant visa stamp noting that the individual has been admitted under IV (Immigrant Visa) Category SI3 or SQ3  and DHS stamp or notation on passport or I-94 showing date of entry
Principal Applicant Iraqi Special Immigrant  Principal Adjusting Status in the U.S.	DHS Form I-551 ("green card") showing Iraqi nationality (or Iraqi passport), with an IV (Immigrant Visa) code for this category SI6 or SQ6
Spouse of Principal Applicant Iraqi Special Immigrant  Principal Applicant Adjusting Status in the U.S.	DHS Form I-551 ("green card") showing Iraqi nationality (or Iraqi passport), with an IV (Immigrant Visa) code for this category SI7 or SQ7
Unmarried Child Under 21 Years of Age of Iraqi Special Immigrant  Principal Applicant Adjusting Status in the U.S.	DHS Form I-551 ("green card") showing Iraqi nationality (or Iraqi passport), with an IV (Immigrant Visa) code for this category SI9 or SQ9